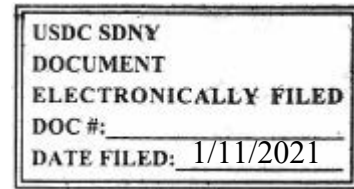


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



Santiago Hernandez, *et al.*,

Plaintiffs,

—v—

San Marino at Soho Incorporated, *et al.*,

Defendants.

19-cv-7976 (AJN)

ORDER

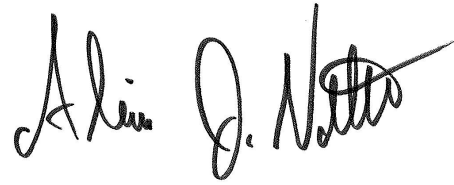
ALISON J. NATHAN, District Judge:

The Defendants’ motion for reconsideration (Dkt. No. 49) is DENIED. “A motion for reconsideration should be granted only when the [moving party] identifies an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Tr.*, 729 F.3d 99, 104 (2d Cir. 2013) (internal quotation marks omitted). After reviewing the parties’ submissions on the motion for reconsideration, the Court remains of the view that the Defendants had ample time to conduct discovery and have not articulated any persuasive reason for their failure to do so. Court-imposed discovery deadlines apply even when parties believe that a matter is likely to settle, and that a party expected the matter to settle is not an adequate basis to justify reopening discovery months after it has closed.

The deadline for the parties to submit their joint pretrial materials is extended to January 29, 2021. The Plaintiffs shall file a letter by January 15, 2021, notifying the Court of when they intend to communicate with the Defendants to confer regarding the submission of joint pretrial materials. Failure to do so may result in dismissal of the action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: January 11, 2021  
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a stylized flourish at the end.

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ALISON J. NATHAN  
United States District Judge